

JUN 11 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

130 Livingston Street  
Brooklyn, NY 11201

June 10, 1993

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VIA EXPRESS MAIL

Hon. Donna R. Searcy, Secretary  
Federal Communications Commission  
1919 M. Street, N.W., Room 222  
Washington, DC 20554

FCC - MAIL ROOM

Re: Comments - Notice of Proposed Rulemaking  
PR Docket No. 93-60

Dear Ms. Searcy:

The New York City Transit Authority ("Authority") hereby submits an original and nine copies of its comments regarding the captioned Notice of Proposed Rulemaking ("Notice").

The Authority is the licensee of 20 trunked channels in the Land Transportation Radio Service operating in the 800 MHz band. The Authority's radio network provides critical communications service to the largest metropolitan surface (bus) transportation system in the country. The Authority believes that the intent of the Notice -- to set forth generally applicable co-channel protection criteria -- is a good one. At the same time, however, because of the nature of our operations and the implications for public health and safety in the event of any actual interference, we urge the Commission to modify the proposed rule to ensure that any actual interference which may occur is immediately corrected by and at the expense of the party seeking to operate in close range to an existing licensee.

The Authority's Surface Transit  
Radio Communications System

The Authority's Surface Transit Radio Communications System is a key element in the public safety radio network in the New York metropolitan region. The Authority itself is responsible for the safe and efficient transportation of nearly 5 million people per workday. Of those, approximately 1.5 million passengers utilize the Surface transportation network which operates in all five boroughs of the City of New York and delivers both "local" and "express" bus services to the City's more than 7 million residents and countless additional commuters and visitors. The Authority's twenty channel 800 MHz system was designed and constructed to include features which would provide the sorely needed capability of

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permitting simulcast voice/data communication among: its fleet of 3700 buses (with a capacity of handling over 4,000 buses); its transit police personnel assigned to surface crime matters; and its network of tow trucks, dispatchers, support vehicles and other supervisory personnel. The communications system, in its full operating capacity, is necessary to enable the Authority to perform its essential governmental function of providing safe and reliable transportation services to the New York City Metropolitan region. To the extent that bus operators witness street crimes or other non-transit related emergencies, the system provides a powerful public safety presence by enabling thousands of additional "eyes and ears" on the streets of New York City to communicate real-time descriptions of the events to the Authority's Surface Transit Command Center which, in turn, can relay vital information to other public safety agencies, such as the New York City Police Department, the New York City Fire Department and the Emergency Medical Services agencies in order to enable them to respond quickly and efficiently to emergency conditions.

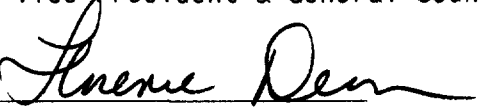
#### The Authority's Concerns

Given the Authority's mission, we are concerned about any interference with the system. Even limited, temporary interference could substantially disrupt the efficient operation of transportation services and put the safety of our employees, passengers and the general public in jeopardy. Moreover, to the extent the system is utilized for data transmission, even minor interference can entirely frustrate the purposes for which the system was intended. In this connection, we note the Commission's comments contained in items 14-16 of the Notice concerning mobile units operating in close proximity to the service area of a co-channel user. While the 40/22 dBu contour is intended to minimize co-channel interference, it, obviously, cannot eliminate the risk. We urge the Commission to find a way to ensure that permitted short-spacing along the lines of the suggested contours does not jeopardize the public interest. At the very least, the party seeking to establish operations adjacent to an existing user should be required to set forth a plan for correcting any actual interference which should occur, including responsibility for bearing the economic burdens of correcting such interference.

Respectfully submitted,

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